

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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DEANDRE BERNARD,

Plaintiff,

v.

OFFICER KIBBLE, *et al*,

Defendants.

ORDER

17-cv-331-wmc

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Plaintiff De'Andre Bernard represented himself in this matter that was dismissed in 2022 after the parties reached a settlement agreement. (Dkt. #164.) He now asks for a court order directing his institution to pay \$4,500.00 from his inmate account to his expert witness, Dr. Samantha Oscar. (Dkt. #178.) Bernard explains that he has submitted a disbursement request that his institution is ignoring, but he has not submitted any documentation that Dr. Oscar is due \$4,500.00. The federal PLRA says nothing about litigation costs, *see* 28 U.S.C. § 1915, and Bernard has not identified any law that would give the court the authority to order the institution to release funds for this purpose. *See Cooper v. Matti*, No. 21-cv-727-slc, 2021 WL 5987170, at \*3 (W.D. Wis. Dec. 16, 2021) (“[T]here is no federal law permitting this court to order prison officials to allow plaintiff to use his release savings account to pay for litigation costs such as postage, copies, and witness fees.”). However, the court will grant Bernard’s motion insofar as the court can confirm that Dr. Oscar submitted an expert report and declaration in this case. (Dkt. ##62, 63.) Although the court cannot also confirm that Dr. Oscar is owed \$4,500.00 for those submissions, Bernard may submit whatever supporting documentation he has, such as a bill, expert contract or fee agreement, to his institution.

ORDER

IT IS ORDERED that plaintiff's motion to issue a special order to release plaintiff's civil fees (dkt. #178) is GRANTED in part and DENIED in part as provided above.

Entered this 21st day of December, 2023.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge